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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/663,912	09/17/2003	Stephany Jean Head	4803.001	2623		
7590 10/12/2006			EXAM	EXAMINER		
William C. Schrot			POND, RO	POND, ROBERT M		
Liniak, Berenato & White, LLC				· · · · · · · · · · · · · · · · · · ·		
Suite 240			ART UNIT	PAPER NUMBER		
6550 Rock Spring Drive			3625	3625		
Bethesda, MD 20817			DATE MAILED: 10/12/2006			

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Applicant(s) Application Applicant(s) Application Appli							
### Examiner Robert M. Pond Se25 - The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply - The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply - A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - If NO period reply is specified some, the maximis date of this communication If NO period reply is specified some, the maximis date of this communication If NO period reply is specified some, the maximis date of this communication If NO period reply is specified some, the maximis date of this communication Any reply received by the Office late! then these monites after the making date of this communication Any reply received by the Office late! then these monites after the making date of this communication Any reply received by the Office late! The Privace monites after the making date of this communication Any reply received by the Office late! The Privace monites after the making date of this communication Any reply received by the Office late! The Privace monites after the making date of this communication Any reply received by the Office late! The Privace monites after the making date of this communication Any Indianal Privace and the Privace monites after the making date of this communication Any Indianal Privace and Priv		Application No.	ation No. Applicant(s)				
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1) Responsive to communication(s) filed on 17 September 2003. 2a This action is FINAL. 2b This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 1-14 is/are pending in the application. 4a Of the above claim(s)	 WHICHEVER IS LONGER, FROM THE MAILING D Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the maximum statutory period Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailin 	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tin will apply and will expire SIX (6) MONTHS from a. cause the application to become ABANDONE	N. nely filed the mailing date of this communication. D. (35 U.S.C. & 133)				
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Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date Interview Summary (PTO-413) Paper No(s)/Mail Date Notice of Informal Patent Application Other:	* See the attached detailed Office action for a list	of the certified copies not receive	ed.				
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B) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application 6) Other:							
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DETAILED ACTION

Requirement for Information

An issue of public use or on sale activity has been raised in this application. In order for the examiner to properly consider patentability of the claimed invention under 35 U.S.C. 102(b), additional information regarding this issue is required as follows: The provisional application is based on a formal presentation with a publication date one year before the filing of the provisional. The Examiner is requesting documents in public use on or before 15 June 2002 pertaining to the claimed subject matter. For example, articles, white papers, doctorial thesis, master thesis, or other publicly available literature or published presentations that pertain to the claimed subject matter may have bearing on the patentability of the instant application.

Applicant is reminded that failure to fully reply to this requirement for information will result in a holding of abandonment.

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-7, drawn to increasing win probability against competitors based on assessing a buying organization's value proposition and competitors' value proposition which can use any system/method of determining value propositions, classified in class 705, subclass 10.

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II. Claims 8-12, 13, and 14 drawn to calculating a value proposition for an organization using wealth factors to quantify the value proposition, classified in class 705, subclass 37.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable. In the instant case, subcombination I has separate utility such as increasing win probability against competitors based on assessing a buying organization's value proposition and competitors' value proposition. See MPEP § 806.05(d).

The examiner has required restriction between subcombinations usable together. Where applicant elects a subcombination and claims thereto are subsequently found allowable, any claim(s) depending from or otherwise requiring all the limitations of the allowable subcombination will be examined for patentability in accordance with 37 CFR 1.104. See MPEP § 821.04(a). Applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional

statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions have acquired a separate status in the art in view of their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse.

To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly

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admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Pond whose telephone number is 571-272-6760. The examiner can normally be reached on 8:30AM-5:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ISORY PATENT EXAMINER

TECHNOLOGY CENTER 3600

Robert M. Pond Primary Examiner September 19, 2006